IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 15TH MAY 2007 / 25TH VAISAKHA 1929

Bail Appl..No. 2830 of 2007()

CC.36/2006 of J.M.F.C.-I,PALAKKAD

.....

: PETITIONER/ACCUSED NO.2

SATHEESH, S/O.BHASKARAN,
AGED 29 YEARS,NEDUNGODE, CHIMBAKADU,
KUTHANNUR, PALAKKAD.

BY ADV. SRI.RAJESH SIVARAMANKUTTY

RESPONDENTS: COMPLAINANT.

STATE OF KERALA REPRESENTED BY PUBLIC
PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 15/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

B.A.No.2830 of 2007

Dated this the 15th day of May 2007

O R D E R

Petitioner who is the second accused in C.C No.36/2006 of J.F.C.M-I, Palakkad for offences punishable under Sections 447,341,323,354 read with section 34 I.P.C., seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in C.C.No.36/2006 on the file of the J.F.C.M-I, Palakkad, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same day on which it is filed after considering the explanation offered by the petitioner for his previous non-appearance.

With the above observation, this application is disposed of.

V.RAMKUMAR,
JUDGE.

jsr